

# **SOUTH AMBOY REDEVELOPMENT AGENCY**

## **MINUTES OF THE JANUARY 5, 2012 MEETING**

### **Public Session**

Chairman Kevin Meszaros called the meeting to order and led the Agency Commissioners, Professionals and attending public in the Salute to the Flag and a prayer. Chairperson Meszaros certified that this meeting had been advertised as prescribed by law.

ROLL CALL: Benjamin Block, Zusette Dato, Kevin Meszaros,  
Councilman William Schwarick

Also in attendance: Eric Chubenko, Executive Director  
Craig J. Coughlin, Esq., General Counsel  
Mayor Fred Henry

A Motion to adopt the Consent Agenda for this meeting was made by Benjamin Block. (*Item Nos. 7.A. and B. contained in the Agenda annexed hereto.*)  
Councilman Schwarick seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes

Benjamin Block made a Motion to approve the November 3, 2011 Meeting Minutes (*Agenda Item No. 12.A.*).  
Councilman Schwarick seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes

The following update concerning current projects/items was provided by Eric Chubenko:

- The retaining wall behind the YMCA/Community Center is under construction and, to date, partially complete. Mr. Chubenko has been informed that the project is scheduled for completion by the second week of January.
- The Venetian Healthcare project is proceeding on schedule – all contracts have been signed, checks have been received and preparations are underway for the official signing ceremony and press release.
- Discussions are ongoing between AWAA/O'Neill Properties, the City and the Agency. Negotiations are progressing.
- The Ordinance concerning signage along Broadway has been examined at great length and the Ordinance dictates that a Broadway sign “must be a wood-like sign that matches the colors [contained in the Ordinance] and must be either routed or raised letter[ing]”.

Chairperson Meszaros read the Executive [closed] Session Resolution aloud and advised that the Agency would remain in Executive [closed] Session for approximately ten to fifteen (10-15) minutes for the purpose of discussing contract negotiation matters and a potential developer.

A Motion to enter into Executive [closed] Session was made by Councilman Schwarick.  
Benjamin Block seconded the Motion.

Voice Vote taken: all in favor

Executive [closed] Session

Return to Open [public] Session

Commissioner Dato advised that the YMCA/Community Center would like to have a flagpole installed on the property. Eric Chubenko explained that, although it is a commendable request and suggestion, there is no money in the Agency budget at this time to furnish a flagpole at the site.

Chairman Meszaros requested comments/questions from Commissioners and, hearing none with no public in attendance, closed the public portion of the meeting.

Councilman Schwarick made a Motion to adjourn the meeting.  
Benjamin Block seconded the Motion.

Voice Vote taken: all in favor

Meeting adjourned

Submitted by:

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MADELINE B. PIRRO

## **SOUTH AMBOY REDEVELOPMENT AGENCY**

### **MINUTES OF THE FEBRUARY 2, 2012 MEETING**

#### **Public Session**

Vice-Chairman Benjamin Block called the meeting to order and led the Agency Commissioners, Professionals and attending public in the Salute to the Flag and a prayer. Vice-Chairperson Block certified that this meeting had been advertised as prescribed by law.

ROLL CALL: Benjamin Block, Zusette Dato, Councilman William Schwarick,  
Camille Tooker

Also in attendance: Eric Chubenko, Executive Director  
Craig J. Coughlin, Esq., General Counsel  
Mayor Fred Henry

A Motion to adopt the Consent Agenda for this meeting was made by Councilman Schwarick. (*Item Nos. 7.A. and B. contained in the Agenda annexed hereto.*)  
Camille Tooker seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Schwarick – yes; Tooker – yes

Camille Tooker made a Motion to adopt the Resolution Authorizing Execution of a Letter Agreement De-Designating DEVCOR as the Redeveloper of Certain Lots and Blocks in the Broadway/Main Street Redevelopment Area (*Agenda Item No. 12.A.*).  
The Motion was seconded by Councilman Schwarick.

ROLL CALL: Block – yes; Dato – yes; Schwarick – yes; Tooker – yes

A Motion to approve the December 1, 2011 Agency Meeting Minutes was made by Councilman Schwarick. (*Agenda Item No. 12.B.*)  
Camille Tooker seconded the Motion.

ROLL CALL: Block – yes; Dato – abstain; Schwarick – yes; Tooker – yes

Zusette Dato made a Motion to approve the Minutes of the January 5, 2012 Agency Meeting. (*Agenda Item No. 12.C.*)  
Councilman Schwarick seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Schwarick – yes; Tooker – abstain

Executive Director Eric Chubenko advised Agency Commissioners that the Venetian Healthcare project is moving along at a steady pace and the Venetian Healthcare payment obligations are up to date.

Agency General Counsel Craig Coughlin read the Executive [closed] Session Resolution aloud stating that Executive [closed] Session was necessary at this time for contract negotiation discussion and that the Agency would reconvene the open portion of the meeting in approximately twenty (20) minutes.

Councilman Schwarick made a Motion to enter into Executive [closed] Session.  
Camille Tooker seconded the Motion.

Voice Vote taken: all in favor

Executive [closed] Session

Return to Open [public] Session.

Vice-Chairman Block opened the meeting to the public for comments/questions and, hearing none (i.e., no public in attendance), requested comments from Commissioners.

Camille Tooker suggested that the Agency look into appointing more Commissioners to the Agency and Eric Chubenko, along with Mayor Henry, stated that it has become a necessity and something must be done concerning the appointments.

Benjamin Block made a Motion to adjourn the meeting.  
Councilman Schwarick seconded the Motion.

Voice Vote taken: all in favor

Meeting adjourned

Submitted by:

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MADELINE B. PIRRO

No. M:02-02-12:01**SOUTH AMBOY REDEVELOPMENT AGENCY****RESOLUTION****AUTHORIZING EXECUTION OF A LETTER AGREEMENT DE-  
DESIGNATING DEVCOR AS THE REDEVELOPER OF CERTAIN LOTS  
AND BLOCKS IN THE BROADWAY/MAIN STREET REDEVELOPMENT  
AREA**

**WHEREAS**, the South Amboy Redevelopment Agency (the "Agency") has been charged by the South Amboy City Council (the "Council") to oversee and implement the redevelopment of certain areas of the City of South Amboy's ( the "City") Broadway/Main Street Redevelopment Area; and

**WHEREAS**, The New South Amboy Development Corporation, L.L.C., ("DEVCOR") has previously been designated the Master Redeveloper of a number of lots and blocks within the Broadway/Main Street Redevelopment Area (the "Redevelopment Area") ; and

**WHEREAS**, the Agency wishes to de-designate DEVCOR as the redeveloper of certain lots and blocks in the Redevelopment Area; and


**WHEREAS**, DEVCOR has agreed to the de-designation; and

**WHEREAS**, the Agency and DEVCOR have memorialized the agreement to the de-designation in a letter agreement, attached as Schedule 1.

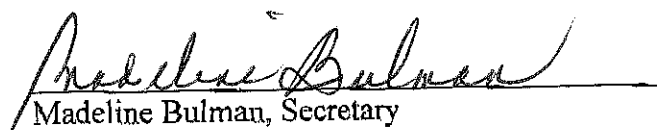
**NOW, THEREFORE, BE IT RESOLVED** by the South Amboy Redevelopment Agency that DEVCOR is hereby de-designated as the redeveloper of Block 161, Lots 25 and 90; Block 162, Lot 6.02 now known as Block 161.01, Lots 25, 90, and 6.02.

**BE IT FURTHER RESOLVED**, the letter agreement attached hereto as Schedule 1, with DEVCOR is hereby approved.

**BE IT FURTHER RESOLVED**, that the Agency's Executive Director is hereby authorized and directed to execute the same on behalf of the Agency.

  
Kevin F. Meszaros, Chairman  
**BENJAMIN BLOCK,**  
VICE CHAIRMAN

Attested to:

  
Madeline Bulman, Secretary

Meeting Date: 02/02/12

ROLL CALL:

B. Block	<u>✓</u>
Z. Dato	<u>✓</u>
K. Meszaros	<u>ABSENT</u>
M. Rosado	<u>ABSENT</u>
W. Schwarick	<u>✓</u>
C. Tooker	<u>✓</u>

**NEW SOUTH AMBOY DEVELOPMENT CO., LLC**

100 LENOX DRIVE + SUITE 100

LAWRENCEVILLE, NJ 08648

TEL: (609) 896-3111 + FAX: (609) 219-0798

January 24, 2012

City of South Amboy  
140 North Broadway  
South Amboy, NJ 08879

and

South Amboy Redevelopment Agency  
140 North Broadway  
South Amboy, NJ 08879

RE: Block 161, Lots 25 and 90; Block 162, Lot 6.02 now known as Block  
161.01, Lots 25, 90 and 6.02 (the "Amboy Aggregates Properties")  
**DE- DESIGNATION OF REDEVELOPER**

Dear Sir or Madam:

New South Amboy Development Co., LLC ("DEVCOR") acknowledges that effective immediately it is no longer the designated redeveloper for Block 161, Lots 25 and 90 and Block 162, Lot 6.02, now known as Block 161.01, Lots 25, 90 and 6.02 (the "Amboy Aggregates Properties," hereto attached as Exhibit A), pursuant to the Master Redevelopment Agreement between the South Amboy Redevelopment Agency and DEVCOR dated October 4, 2001.

As a result of DEVCOR's de-designation as redeveloper for the Amboy Aggregates Properties, it is understood that the City of South Amboy ("the City") and the South Amboy Redevelopment Agency ("SARA") hereby acknowledge that DEVCOR currently has no outstanding balances as to the Amboy Aggregates Properties and will have no additional or future obligations relating to the Amboy Aggregates Properties as of the date of this letter.

It is further understood that the City and SARA acknowledge DEVCOR will remain as the designated redeveloper for the balance of the parcels identified under to the Master Redevelopment Agreement, except to the extent that the City, SARA and DEVCOR have agreed to and designated Raritan Pointe, LLC as the redeveloper of Block 160, Lot 1.03 (the "Raritan River Landing Property").

**NEW SOUTH AMBOY DEVELOPMENT CO., LLC**  
Michael D. Jingoli, Managing Member

**NEW SOUTH AMBOY DEVELOPMENT CO., LLC**

100 LENOX DRIVE + SUITE 100

LAWRENCEVILLE, NJ 08648

TEL: (609) 896-3111 + FAX: (609) 219-0798

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ACKNOWLEDGED AND AGREED TO:

**City of South Amboy**

**South Amboy Redevelopment Agency**

By: \_\_\_\_\_

By: \_\_\_\_\_

cc: Glenn A. Clouser, Esq.  
John R. Lanza, Esq.



### Exhibit A

CO  
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[illegible]

**TAX MAP**  
CITY OF SOUTH AMBOY  
MIDDLESEX COUNTY, NEW JERSEY  
SCALE: 1" = 200' MARCH 1963  
MUNICIPAL REEVALUATIONS, INC.  
WILLIAM HELL, P.E. & L.S.  
9 FORTY FOURTH ST., MAPLEWOOD, NJ

THIS SHEET HAS BEEN REDESIGNED USING  
COMPUTER AIDED DRAFTING/DESIGN (CAD/D)  
BASED ON MAP PREPARED BY  
MINORAL REVELATIONS, INC. MARCH 1983

**RARITAN BAY**

BOROUGH OF SAYREVILLE - MIDDLESEX COUNTY

# **SOUTH AMBOY REDEVELOPMENT AGENCY**

## **MINUTES OF THE MARCH 1, 2012 MEETING**

### **Public Session**

Commissioner Zusette Dato called the meeting to order and led the Agency Commissioners, Professionals and attending public in the Salute to the Flag and a prayer. Commissioner Dato certified that this meeting had been advertised as prescribed by law.

ROLL CALL: Zusette Dato, Melvin Rosado, Councilman William Schwarick,  
Camille Tooker

Also in attendance: Eric Chubenko, Executive Director  
Craig J. Coughlin, Esq., General Counsel  
Mayor Fred Henry

Prior to taking action with regard to the Consent Agenda for this meeting, Eric Chubenko explained that a \$9,953.69 invoice from McManimon & Scotland for ongoing work concerning the redevelopment agreement has been approved for payment by the O'Neill Group/AWAA (i.e., payment from the O'Neill/AWAA escrow account), however the invoice does not appear on the bill list for this meeting. Mr. Chubenko requested that the bill list for this meeting be amended to include payment of the aforementioned invoice.

A Motion to adopt the Consent Agenda as amended was made by Councilman Schwarick. (*Item Nos. 7.A. and B. contained in the Agenda annexed hereto.*)  
Melvin Rosado seconded the Motion.

ROLL CALL: Dato – yes; Rosado – yes; Schwarick – yes; Tooker – yes

With regard to the Resolution authorizing transfer of title to Block 23, Lot 1 and Block 24, Lot 2.01 to Venetian Healthcare, LLC (*Agenda Item No. 12.A.*), Eric Chubenko explained that, in accordance with the Redevelopment Agreement with Woodmont Properties, any transfer of property must be authorized by the Agency to make certain that everything is being done properly and in accordance with everything that must be completed prior to the transfer (e.g., executed redevelopment agreements, required contributions, etc.). The Resolution is merely to authorize the transfer of title, Mr. Chubenko further explained.

Camille Tooker made a Motion to adopt the aforementioned Resolution authorizing transfer of title to Venetian Healthcare, LLC.  
Councilman Schwarick seconded the Motion.

ROLL CALL: Dato – yes; Rosado – yes; Schwarick – yes; Tooker – yes

A Motion to adopt the Resolution authorizing the release of the Performance Bond issued for Baker Residential [Block 161, Lot 20.10] (*Agenda Item No. 12.B.*) was made by Councilman Schwarick.

Camille Tooker seconded the Motion.

ROLL CALL: Dato – yes; Rosado – yes; Schwarick – yes; Tooker – yes

Executive Director Eric Chubenko provided the following update concerning current/future projects:

- Windsor/Venetian Healthcare has submitted plans, as well as an elevation rendering, for review. Architectural review is currently underway. Representatives have been very cooperative concerning architectural review.
- A lot of time has been expended on getting the ferry road extension moving forward. There have been meetings to discuss all issues pertaining to the project (e.g., cleaning up property included in the roadway project, etc.) and progress has been made. A proposal has been submitted for environmental remediation for a portion of the roadway property (i.e., “spot remediation”).

Agency General Counsel Craig Coughlin read the Executive [closed] Session Resolution aloud stating that Executive [closed] Session was necessary at this time for contract negotiation discussion and that the Agency would reconvene the open portion of the meeting in approximately twenty (20) minutes.

A Motion to enter into Executive [closed] Session was made by Melvin Rosado.  
Camille Tooker seconded the Motion.

Voice Vote taken: all in favor

Executive [closed] Session

Return to Open [public] Session

Commissioner Dato requested comments/questions from the public and, with no public in attendance, closed the public portion of the meeting. Hearing no comments/questions from Commissioners, Commissioner Dato asked for a Motion to adjourn the meeting.

Melvin Rosado made a Motion to adjourn the meeting.  
The Motion was seconded by Camille Tooker.

Voice Vote taken: all in favor

Meeting adjourned

Submitted by:

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MADELINE B. PIRRO

M:03-01-12:01  
RESOLUTION NO. 03/01/12

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**AUTHORIZING THE TRANSFER OF TITLE TO  
BLOCK 23, LOT 1 AND BLOCK 24, LOT 2.01  
WITHIN THE REDEVELOPMENT AREA TO VENETIAN HEALTHCARE L.L.C.**

**WHEREAS**, the Agency has designated Peron Development/ South Amboy II L.L.C. ("Peron") as the redeveloper of a portion of the City's Southern Waterfront Redevelopment Area (the "Redevelopment Area"); and

**WHEREAS** Peron has identified a third-party developer, Venetian Healthcare, LLC, ("Venetian") who wishes to develop, a portion of the property for which Peron has been designated the redeveloper; specifically Block 23, Lot 1 and Block 24, Lot 2.01, (the "Redevelopment Property") as a skilled nursing facility (the "Redevelopment Project"); and

**WHEREAS**, the Agency has designated Venetian as the redeveloper of the Redevelopment Property conditioned upon Venetian concluding a redevelopment agreement with the Agency; and

**WHEREAS**, the Agency and Venetian have concluded the required redevelopment agreement; and

**WHEREAS**, the redevelopment agreement between the Agency and Peron requires the Agency to approve the transfer of title to a third-party for property within the redevelopment area; and

**WHEREAS**, the Redevelopment Property is within the redevelopment area.

**NOW THEREFORE, BE IT RESOLVED**, by the Commissioners of the Agency that the Agency approves the transfer of title to the Redevelopment Property from Peron to Venetian, as required by Section 6.2 of the redevelopment agreement between the Agency and Perone.

**BE IT FURTHER RESOLVED**, that an executed copy of this Resolution shall be filed with the minutes of the meeting at which this Resolution was approved and a separate copy shall be placed on file by the Executive Director/Secretary as evidence of the Agency's action in this regard.

Attested to:

Madeline Bulman  
Madeline Bulman, Secretary

Meeting Date: 03/01/12

ROLL CALL:

B. Block	ABSENT
Z. Dato	✓
K. Meszaros	ABSENT
M. Rosado	✓
W. Schwarick	✓
C. Tooker	✓

Zusette Dato  
Kevin F. Meszaros, Chairman  
ZUSETTE DATO  
ACTING CHAIR

No. M:03-01-12:02

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**AUTHORIZING THE RELEASE OF THE  
PERFORMANCE BOND ISSUED FOR BAKER RESIDENTIAL,  
FOR BLOCK 161, LOT 20.10**

**WHEREAS**, Baker Residential, issued a Cash Bond to the South Amboy Redevelopment Agency (the "Agency") in the amount of \$70,734.36 as pursuant to Builder's Agreement dated November 3, 2000; and,

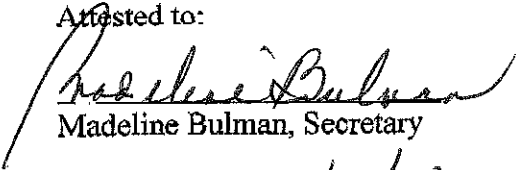
**WHEREAS**, the Agency Engineer and City Project Engineer, Angelo J. Valetutto, P.E., ("Valetutto"), has reported that the required site improvements for the said property have been successfully completed; and,

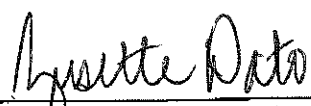
**WHEREAS**, Valetutto has recommended that the Cash Bond be released.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, by the South Amboy Redevelopment Agency that the aforesaid Cash Bond, in the amount of \$74,367.11 plus February 2012 interest ( which consists of the original amount plus accrued interest, minus administrative fees) for Baker Residential shall be and is hereby released.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately and shall be advertised as prescribed by law.

Attested to:

  
Madeline Bulman, Secretary

  
Kevin F. Meszaros, Chairman  
**ZUSETTE DATO**  
**ACTING CHAIR.**

Meeting Date: 03/01/12

**ROLL CALL:**

B. Block	<u>ABSENT</u>
Z. Dato	<u>✓</u>
K. Meszaros	<u>ABSENT</u>
M. Rosado	<u>✓</u>
W. Schwarick	<u>✓</u>
C. Tooker	<u>✓</u>

**engineering inc**

Angelo J. Valetutto, P.E., P.P.  
Jason C. Valetutto, P.E., P.P.

February 24, 2012

Mr. Eric Chubenko, Executive Director  
South Amboy Redevelopment Agency  
140 North Broadway  
South Amboy, NJ 08879

Re: Baker Residential-Beacon Pointe  
Block 60, Lots 1 & 7  
Block 61, Lots 2,3,6,7,8,8.01,11, & 12  
Builder's Agreement dated August 31, 2005  
Bond Release Certification

Dear Mr. Chubenko:

Please accept this letter as the undersigned's certification that the above referenced developer has successfully completed the Site Improvements required under his Builder's Agreement. In addition, in accordance to the terms of the Builder's Agreement, he has provided the City with a Maintenance Bond in the amount of \$106,707.54. We have reviewed and approved the Maintenance Bond (Bond No. 105704844 from Travelers Casualty and Surety Company) and have transmitted the original Bond to Ms. Kathy Vigilante, City Clerk for safekeeping. This office will monitor the site improvements over the two year term of the Maintenance Bond period to insure they remain compliant.

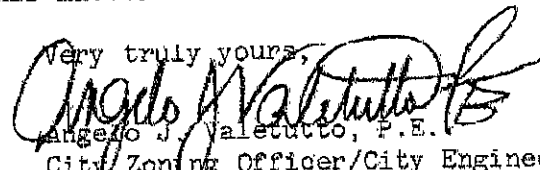
At this point in time, it is appropriate to release both the Performance Bond in the amount of \$636,609.24 from the Travelers Casualty and Surety Company (No. 104601485) held by our City Clerk. It is also our certification that you release the Cash Bond submitted as part of the Builder's Agreement in the original amount of \$70,734.36 plus accrued interest (less any administrative charges by the City) to Baker Residential. It is our understanding that the money is currently held in SARA Account 5011.

By copy of this letter I am advising your attorney, Mr. Coughlin and the City Chief Financial Officer, Mr. O'Neill of my certification. In addition, I am by copy of this letter, requesting Ms. Vigilante to release the above noted Performance Bond.

Please note all items returned to Baker Residential should be sent to: Mr. Anthony Rossi Baker Residential, 200 Mallard Place, Hackettstown, New Jersey 07840. We respectfully request that this office be copied on all transmittal correspondence sent to Mr. Rossi so that we may maintain a complete file.

Please do not hesitate to contact me should you have any questions regarding this certification. Thank you for your early attention to this matter.

Very truly yours,

  
Angelo J. Valetutto, P.E.  
City Zoning Officer/City Engineer  
Designate for Project

cc: Craig J. Coughlin, Esq., SARA Attorney, via email only  
Mr. Terance O'Neill, CFO, City of South Amboy, via email and regular mail  
424 AMBOY AVENUE, P.O. BOX 548, WOODBRIDGE, NJ 07095-0548 (732) 636-8080 FAX (732) 636-0062

# **SOUTH AMBOY REDEVELOPMENT AGENCY**

## **MINUTES OF THE APRIL 5, 2012 MEETING**

### **Public Session**

Commissioner Zusette Dato called the meeting to order and certified that this meeting had been advertised as prescribed by law.

ROLL CALL: Benjamin Block, Zusette Dato, Kevin Meszaros,  
Councilman William Schwarick

Also in attendance: Eric Chubenko, Executive Director  
Craig J. Coughlin, Esq., General Counsel  
Mayor Fred Henry

*Please note: Commissioner Block and Commissioner Meszaros participated in this meeting via telephone conference.*

For the benefit of the Commissioners not in physical attendance at this meeting, Eric Chubenko read the items contained in the bill list for this meeting aloud. (*Items nos. 7.B.1 and 2. contained in the Agenda annexed hereto.*)

A Motion to approve the aforementioned bill list was made by Councilman Schwarick. Zusette Dato seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes

Eric Chubenko explained that a Resolution is being presented at this meeting approving the return of an escrow balance to LS Development & Consulting, LLC (i.e., the firm originally designated to appraise property located on North Broadway and owned by Mr. and Mrs. Karpowitz). Craig Coughlin, Esq. explained that the Agency will make certain that there are no existing outstanding invoices and if, in fact, there are no such outstanding invoices, the escrow balance will be returned to LS Development.

Zusette Dato made a Motion to approve the aforementioned Resolution. Councilman Schwarick seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes

*Please note that Agency Counsel Craig Coughlin will prepare and present a written Resolution to memorialize the aforementioned action taken by the Agency.*

Zusette Dato opened the meeting to the public. With no public in attendance, Commissioner Dato closed the public portion of the meeting.



SARA  
April 5, 2012 Meeting Minutes  
Page 2 of 2

Benjamin Block made a Motion to adjourn this meeting.  
The Motion was seconded by Councilman Schwarick.

Voice Vote taken: all in favor

Meeting adjourned

Submitted by:

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MADELINE B. PIRRO

# **SOUTH AMBOY REDEVELOPMENT AGENCY**

## **MINUTES OF THE MAY 3, 2012 MEETING**

### **Public Session**

Chairman Kevin Meszaros called the meeting to order and led the Agency Commissioners, Professionals and attending public in the Salute to the Flag and a prayer. Chairperson Meszaros certified that this meeting had been advertised as prescribed by law.

ROLL CALL: Benjamin Block, Zusette Dato, Kevin Meszaros,  
Councilman William Schwarick, Camille Tooker

Also in attendance: Eric Chubenko, Executive Director  
Craig J. Coughlin, Esq., General Counsel  
Mayor Fred Henry

A Motion to adopt the Consent Agenda for this meeting was made by Councilman Schwarick. (*Item Nos. 7.A. and B. contained in the Agenda annexed hereto.*)  
Zusette Dato seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes; Tooker – yes

A Motion to approve the Resolution confirming [memorializing] the April, 2012 Meeting Resolution releasing the escrow balance to LS Development & Consulting, LLC (*Agenda Item No. 11.A.*) was made by Zusette Dato.  
The Motion was seconded by Camille Tooker.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes; Tooker – yes

A Motion to approve the Minutes of the February 2, 2012 Agency Meeting (*Agenda Item No. 12.A.*) was made by Councilman Schwarick.  
Benjamin Block seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Meszaros – abstain; Schwarick – yes;  
Tooker – yes

A Motion to approve the Minutes of the March 1, 2012 Agency Meeting (*Agenda Item No. 12.B.*) was made by Councilman Schwarick.  
Camille Tooker seconded the Motion.

ROLL CALL: Block – abstain; Dato – yes; Meszaros – abstain; Schwarick – yes;  
Tooker – yes

Councilman Schwarick made a Motion to approve the April 5, 2012 Agency Meeting Minutes (*Agenda Item No. 12.C.*).  
The Motion was seconded by Zusette Dato.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes;  
Tooker – abstain

A Motion to enter into Executive [closed] Session was made by Camille Tooker. Chairman Meszaros stated that the purpose for Executive [closed] Session was to discuss contract negotiations and Executive [closed] Session would continue for approximately twenty (20) to thirty (30) minutes.

Councilman Schwarick seconded the aforementioned Motion.

Voice Vote taken: all in favor

Executive [closed] Session

Return to Public [open] Session

A Motion to adopt a professional services Resolution appointing John C. Tully to provide updated environmental services in connection with a portion of the Deed Notice for the Community Center property in an amount not-to-exceed \$2,000.00 was made by Councilman Schwarick.

The Motion was seconded by Camille Tooker.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes; Tooker – yes

Councilman Schwarick made a Motion to adopt the Resolution approving Amendment No. 3 to the Redevelopment Agreement with Peron Development/South Amboy II, LLC and authorizing execution of said Amendment.

Camille Tooker seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes; Tooker – yes

Chairman Meszaros opened the meeting to the public and, with no public in attendance, closed the public portion of the meeting.

Chairman Meszaros requested comments/questions from Commissioners. Zusette Dato stated that whoever is responsible for getting the remediation started on the building located next to Scioirentino's [facing Broadway] should be commended.

Councilman Schwarick made a Motion to adjourn the meeting.

The Motion was seconded by Camille Tooker.

SARA  
May 3, 2012 Meeting Minutes  
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Voice Vote taken: all in favor

Meeting adjourned

Submitted by:

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MADELINE B. PIRRO

RESOLUTION NO. M:05-03-12:01

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**PROFESSIONAL SERVICES  
APPOINTING CHARLES TULLY**

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5, the South Amboy Redevelopment Agency (the "AGENCY") may procure professional services without the necessity of advertising for bids pursuant to N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the environmental consulting services to be provided by John C. Tully (the "FIRM") are professional services within the definition contained in N.J.S.A. 40A:11-2; and

**WHEREAS**, the FIRM is prepared to provide updated environmental services in connection with a portion of the Deed Notice for the Community Center property; and

**WHEREAS**, the FIRM has proposed to provide the services for a sum not to exceed \$2,000.00; and

**WHEREAS**, this Professional Services Agreement is being awarded through a non-fair and open process, and accordingly the Firm shall execute a certification that it has not made a contribution that would bar it from being awarded the contract described herein by N.J.S.A. 19:44a-20.4 et seq.

**NOW, THEREFORE, BE IT RESOLVED** by the South Amboy Redevelopment Agency that John C. Tully be and is hereby retained to perform environmental consulting services, specifically preparing the engineering and environmental compliance portions of the

Deed Notice to be filed in connection with the Community Center Property, in an amount not to exceed \$2,000.00 SUBJECT TO the attachment to this Resolution of the certification of the Agency Treasurer as to the availability and source of the funds to be paid as required by N.J.A.C. 5:34-5.5 et seq. and receipt of Certification from John C. Tully that they have not made any prohibited contributions pursuant to the New Jersey "Pay to Play" law.

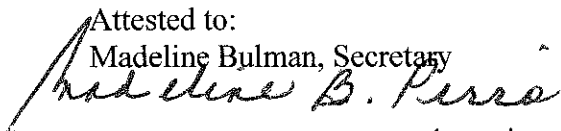
**BE IT FURTHER RESOLVED**, that the Agency Executive Director and Agency Secretary on behalf of the Agency are authorized to execute the Deed Notice and any agreement with the Firm.

**BE IT FURTHER RESOLVED**, that the Agency Secretary is hereby authorized and directed to cause notice of this resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

  
\_\_\_\_\_  
Kevin F. Meszaros, Chairman

Attested to:

Madeline Bulman, Secretary

  
Madeline B. Bulman

Meeting Date: 05/03/12

ROLL CALL:

B. Block	<u>✓</u>
S. Dato	<u>✓</u>
K. Meszaros	<u>✓</u>
M. Rosado	<u>ABSENT</u>
W. Schwarick	<u>✓</u>
C. Tooker	<u>✓</u>

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**APPROVING AMENDMENT NUMBER 3 TO REDEVELOPMENT  
AGREEMENT WITH PERON DEVELOPMENT/SOUTH AMBOY II, L.L.C.  
AND AUTHORIZING EXECUTION OF SAID AMENDMENT**

**WHEREAS**, the South Amboy Redevelopment Agency (the "Agency") and Peron Development/South Amboy II L.L.C. (the "Redeveloper") are parties to a redevelopment agreement for the development of a portion of the southern redevelopment area (the "Redevelopment Agreement"); and

**WHEREAS**, the Agency and the Redeveloper wish to amend the Redevelopment Agreement regarding the payment of certain contributions to be made by the Redeveloper under the Redevelopment Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the South Amboy Redevelopment Agency that the Amendment Number 3 to the Redevelopment Agreement, attached hereto as Schedule A, with the Redeveloper is hereby approved.

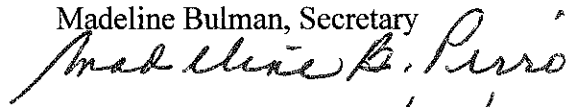
**BE IT FURTHER RESOLVED**, that the Chairman and Agency Secretary are hereby authorized and directed to execute the same on behalf of the Agency.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately and shall be advertised as prescribed by law.

  
\_\_\_\_\_  
Kevin F. Meszaros, Chairman

Attested to:

Madeline Bulman, Secretary

  
Meeting Date: 05/03/12

ROLL CALL:

B. Block

✓

S. Dato

✓

K. Meszaros

✓

M. Rosado

ABSENT

W. Schwarick

✓

C. Tooker

✓

**AMENDMENT NUMBER 3 TO THE  
REDEVELOPMENT AGREEMENT**

This Amendment Number 3 to the Redevelopment Agreement is made this            day of May , 2012 by and between the South Amboy Redevelopment Agency having an office at 140 North Broadway, South Amboy, New Jersey ("SARA" or the "Agency") and Peron Development/South Amboy II L.L.C. ("Redeveloper") having an office at 1 Main Street, Chatham , New Jersey 07928 collectively (the "Parties").

**WITNESSETH**

**WHEREAS**, the Agency and Redeveloper are parties to a redevelopment agreement dated December 8, 2005 for the development of a portion of the southern redevelopment area (the "Redevelopment Agreement"); and

**WHEREAS**, pursuant to the Redevelopment Agreement, the Redeveloper is obligated to pay the Agency certain sums upon the issuance of each certificate of occupancy for each residential unit as the Redeveloper's contribution towards recreational facilities; and

**WHEREAS**, the Agency and the Redeveloper wish to restructure that aspect of the Redevelopment Agreement.

**NOW THEREFORE**, The Parties agree the Redevelopment Agreement shall be amended as follows as follows:

1. Section 12.11 is amended to read: "The Redeveloper shall pay the Agency, on or before July 15, 2012, the sum of \$110,000.00 in full and final satisfaction of the Redeveloper's obligation towards recreational facilities to be constructed by the City or the Agency in the immediate vicinity of the Redevelopment Site."

**IN WITNESS WHEREOF**, the Parties hereto have duly executed this instrument as of the date first written, which date shall be deemed to be and shall be referred to as the date of this Addendum Number 3.



Witness:

*Frederick B. Lewis*

SOUTH AMBOY REDEVELOPMENT AGENCY

BY:

*Kevin F. Meszaros*  
Kevin F. Meszaros, Chairman

Witness:

\_\_\_\_\_

PERON DEVELOPMENT/SOUTH AMBOY II,LLC

BY:

\_\_\_\_\_

# **SOUTH AMBOY REDEVELOPMENT AGENCY**

## **MINUTES OF THE JUNE 7, 2012 MEETING**

### **Public Session**

Chairman Kevin Meszaros called the meeting to order and led the Agency Commissioners, Professionals and attending public in the Salute to the Flag and a prayer. Chairperson Meszaros certified that this meeting had been advertised as prescribed by law.

ROLL CALL: Benjamin Block, Zusette Dato, Kevin Meszaros,  
Councilman William Schwarick

Also in attendance: Eric Chubenko, Executive Director  
Craig J. Coughlin, Esq., General Counsel  
Mayor Fred Henry

A Motion to adopt the Consent Agenda for this meeting (*Item Nos. 7.A. and B. contained in the Agenda annexed hereto.*) was made by Benjamin Block.  
Councilman Schwarick seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes

Executive Director Eric Chubenko distributed an Agency Budget outline [breakdown], which he [Chubenko] had prepared for review by the Commissioners. Eric explained that it is the lowest Budget that the Agency has had in a long time. After review/discussion by the Commissioners and Mr. Chubenko, it was decided that the Budget would be adopted by the Agency and, in furtherance; the Budget would be adopted by the reading of the Budget title Resolution only.

Councilman Schwarick made a Motion to adopt the Budget Resolution by title only.  
Benjamin Block seconded the Motion.

Voice Vote taken: all in favor

A Motion to approve/adopt the Budget (*Agenda Item No. 12.A.*) was made by Councilman Schwarick.  
The Motion was seconded by Benjamin Block.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes

Councilman Schwarick made a Motion to adopt the Resolution for the Late Introduction of the Budget (*Agenda Item No. 12.B.*).  
Zusette Dato seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes

SARA

June 7, 2012 Meeting Minutes

Page 2 of 2

A Motion to enter into Executive [closed] Session was made by Benjamin Block. Chairman Meszaros stated that the purpose for Executive [closed] Session was to discuss ongoing contract negotiations and Executive [closed] Session would continue for approximately twenty (20) minutes.

Zusette Dato seconded the aforementioned Motion.

Voice Vote taken: all in favor

Executive [closed] Session

Return to Public [open] Session

With no Public in attendance at this meeting, Chairman Meszaros requested comments/questions from Commissioners and, hearing none, asked for a Motion to adjourn the meeting.

A Motion to adjourn this meeting was made by Benjamin Block.

Councilman Schwarick seconded the Motion.

Voice Vote taken: all in favor

Submitted by:

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MADELINE B. PIRRO

M:06-07-12:01

## 2012 Authority Budget Resolution

### South Amboy Redevelopment Agency

FISCAL YEAR: FROM: July 1, 2012 TO: June 30, 2013

WHEREAS, the Annual Budget and Capital Budget for the South Amboy Redevelopment Agency Authority for the fiscal year beginning, July 1, 2012 and ending, June 30, 2013 has been presented before the governing body of the South Amboy Redevelopment Agency Authority at its open public meeting of June 7, 2012; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 350,792, Total Appropriations, including any Accumulated Deficit if any, of \$ 405,853. and Total Unrestricted Net Assets utilized of \$ 55,061; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$ -0- and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$ -0-; and

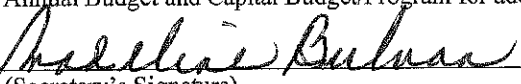
WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and


WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the South Amboy Redevelopment Agency Authority, at an open public meeting held on June 7, 2012 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the South Amboy Redevelopment Agency Authority for the fiscal year beginning, July 1, 2012 and ending, June 30, 2013 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the South Amboy Redevelopment Agency Authority will consider the Annual Budget and Capital Budget/Program for adoption on July 5, 2012.

  
(Secretary's Signature)

  
(Date)

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Meszaros	✓			
Block	✓			
Dato	✓			
Rosado				✓
Schwarick	✓			
Tooker				✓

RESOLUTION NO. M:06-07-12:02

**SOUTH AMBOY REDEVELOPMENT AGENCY**

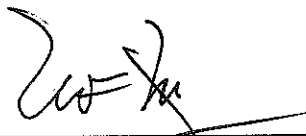
**RESOLUTION**

**AUTHORITY BUDGET DELAYED INTRODUCTION**

**WHEREAS**, the South Amboy redevelopment Agency is required to approve its annual budget at least 60 days prior to the end of its current fiscal year; and

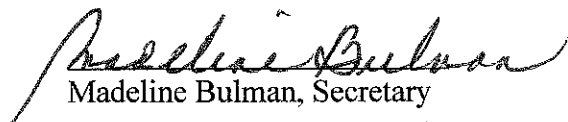
**WHEREAS**, in order to accurately prepare its budget for the fiscal year ending June 30, 2013, the Agency delayed the introduction of the budget for the purpose of verifying its available revenue sources; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Commissioners of the Agency that this resolution be forwarded to the bureau of Authority Regulation, Division of Local Government Services, State of New Jersey.



Kevin F. Meszaros, Chairman

Attested to:

  
Madeline Bulman, Secretary

Meeting Date: 06/07/12

**ROLL CALL:**

B. Block	<u>✓</u>
Z. Dato	<u>✓</u>
K. Meszaros	<u>✓</u>
M. Rosado	<u>ABSENT</u>
W. Schwarick	<u>✓</u>
C. Tooker	<u>ABSENT</u>

# **SOUTH AMBOY REDEVELOPMENT AGENCY**

## **MINUTES OF THE JULY 24, 2012 MEETING**

### **Public Session**

Chairman Kevin Meszaros called the meeting to order and led the Agency Commissioners, Professionals and attending public in the Salute to the Flag and a prayer. Chairperson Meszaros certified that this meeting had been advertised as prescribed by law.

ROLL CALL: Benjamin Block, Zusette Dato\*, Kevin Meszaros,  
Councilman William Schwarick; Camille Tooker

Also in attendance: Eric Chubenko, Executive Director  
Craig J. Coughlin, Esq., General Counsel

*\* Please note that Zusette Dato was in attendance at this meeting – arriving at 6:30 p.m.*

Craig Coughlin requested nominations for Agency Chairperson for FY 2012-2013. Camille Tooker nominated Kevin Meszaros and Benjamin Block seconded the nomination. Hearing no further nominations, Mr. Coughlin requested a vote.

Voice Vote taken: all in favor

Kevin Meszaros nominated Benjamin Block for Agency Vice-Chairperson for FY 2012-2013. Councilman Schwarick second the nomination. Hearing no further nominations, Craig Coughlin requested a vote.

Voice Vote taken: all in favor

A Motion to designate The Home News and Tribune and The Star Ledger as the official newspapers of the Agency for FY 2012-2013 was made by Councilman Schwarick. Benjamin Block seconded the Motion.

Voice Vote taken: all in favor

A Motion to designate Amboy National Bank and The Provident Bank as the official banking institutions of the Agency for FY 2012-2013 was made by Councilman Schwarick. Benjamin Block seconded the Motion.

Voice Vote taken: all in favor

After a brief discussion, it was agreed by the Agency Commissioners that the following Resolutions for this meeting would be moved to the Consent Agenda: Special Services Engineering [CME Associates; Najarian Associates, and AJV Associates]; Special Services Environmental Engineering [CME Associates; Potomac Hudson, and Najarian Associates]; General Counsel [Craig J. Coughlin, Esq.]; Special Legal Counsel [McManimon, Scotland and Baumann]; Assessor, Valuation and Consulting Services [Stanley Jay Appraisal Associates]; Planning Services [AJV Engineering, Inc. and CME Associates].

A Motion to approve the Consent Agenda as amended was made by Kevin Meszaros.  
The Motion was seconded by Benjamin Block.

ROLL CALL: Block – yes; Dato – absent; Meszaros – yes; Schwarick – yes;  
Tooker – yes

A Motion to adopt the FY 2012-2013 Agency Budget was made by Councilman Schwarick.  
Camille Tooker seconded the Motion

ROLL CALL: Block – yes; Dato – absent; Meszaros – yes; Schwarick – yes;  
Tooker – yes

Councilman Schwarick made a Motion to adopt the Resolution authorizing the execution of an Interim Cost Agreement related to the redevelopment of Lots 118, 154 and 159 at Main Street and Broadway with redeveloper Liberty Harbor.  
Benjamin Block seconded the Motion.

ROLL CALL: Block – yes; Dato – absent; Meszaros – yes; Schwarick – yes;  
Tooker – yes

A Motion to approve the May 3, 2012 Agency Meeting Minutes was made by Councilman Schwarick.  
The Motion was seconded by Camille Tooker

ROLL CALL: Block – yes; Dato – absent; Meszaros – yes; Schwarick – yes;  
Tooker – yes

Councilman Schwarick made a Motion to approve the June 7, 2012 Agency Meeting Minutes.  
Benjamin Block seconded the Motion.

ROLL CALL: Block – yes; Dato – absent; Meszaros – yes; Schwarick – yes;  
Tooker – abstain

Eric Chubenko, Executor Director, advised that the Venetian Healthcare project is moving along and revenues have been received. Eric stated that he [Chubenko] continues to be in contact with the proposed ferry operator and that the planning of the terminal and road construction is ongoing.

Councilman Schwarick made a Motion to approve the July 24, 2012 Agency bill list.  
The Motion was seconded by Camille Tooker.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes;  
Tooker – abstain

Chairman Meszaros requested comments/questions from Commissioner and, hearing none, opened the meeting to the public. With no public in attendance at this meeting, Chairman Meszaros requested a Motion to adjourn the meeting.

Councilman Schwarick made a Motion to adjourn the meeting.  
Benjamin Block seconded the Motion.

Voice Vote taken: all in favor

Submitted by:

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MADLINE B. PIRRO



No. M:07-24-12:01**SOUTH AMBOY REDEVELOPMENT AGENCY****RESOLUTION****APPOINTING A CHAIRMAN**

**BE IT RESOLVED** by the South Amboy Redevelopment Agency that

KEVIN F. MESZAROS is hereby  
appointed as the Chairman for the year July 1, 2012 through June 30, 2013.

**BE IT FURTHER RESOLVED**, that the Chairman shall have all the responsibility and authority set forth in the Agency By-Laws and New Jersey statutes.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

Kevin Meszaros  
KEVIN MESZAROS, Chairman

Attested to:

Madeline Bulman  
Madeline Bulman, Secretary

Meeting Date:

07/24/12

ROLL CALL:

B. Block

S. Dato

K. Meszaros

M. Rosado

W. Schwarick

C. Tooker

✓  
ABSENT  
✓  
ABSENT  
✓  
✓

No. M:07-24-12:02**SOUTH AMBOY REDEVELOPMENT AGENCY****RESOLUTION****APPOINTING A VICE-CHAIRMAN**

**BE IT RESOLVED** by the South Amboy Redevelopment Agency that

BENJAMIN BLOCK is hereby  
appointed as the Vice-Chairman for the year July 1, 2012 to June 30, 2013.

**BE IT FURTHER RESOLVED**, that the Vice-Chairman shall have all the responsibility and authority set forth in the Agency By-Laws and New Jersey statutes.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

Attested to:

Kevin Meszaros, Chairman

Madeline Bulman  
Madeline Bulman, Secretary

Meeting Date: 07/24/12

ROLL CALL:

B. Block

Z. Dato

K. Meszaros

M. Rosado

W. Schwarick

C. Tooker

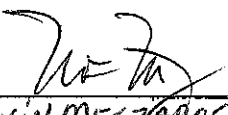
✓  
ABSENT  
✓  
ABSENT  
✓

No. M:07-24-12:03SOUTH AMBOY REDEVELOPMENT AGENCYRESOLUTIONDESIGNATING OFFICIAL NEWSPAPERS

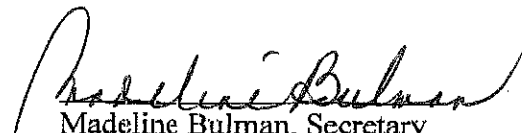
**BE IT RESOLVED** by the South Amboy Redevelopment Agency that the following newspapers are hereby designated the official newspapers of the Agency for the fiscal year 2013:

- (1) The Home News and Tribune
- (2) The Star Ledger

**BE, IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

  
\_\_\_\_\_  
KEVIN MESZAROS, Chairman

Attested to:

  
\_\_\_\_\_  
Madeline Bulman, Secretary

Meeting Date: 07/24/12

## ROLL CALL:

B. Block

S. Dato

K. Meszaros

M. Rosado

W. Schwarick

C. Tooker

✓  
\_\_\_\_\_  
ABSENT  
✓  
\_\_\_\_\_  
ABSENT  
✓  
\_\_\_\_\_  
✓  
\_\_\_\_\_

RESOLUTION NO. M:07-24-12:04

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**DESIGNATING OFFICIAL BANK**

**WHEREAS**, the South Amboy Redevelopment Agency (the "Agency") pursuant to N.J.S.A. 40A: 12A- 1 *et seq.* is a validly created municipal entity in the State of New Jersey; and

**WHEREAS**, the Agency has been charged by the South Amboy City Council with the responsibility of redeveloping the City's waterfront and related properties; and

**NOW, THEREFORE, IT IS RESOLVED**, by the South Amboy Redevelopment Agency that the following banks are designated as the Agency's official depositories of funds for the fiscal year 2013:

- 1) Amboy National Bank
- 2) The Provident Bank

**BE IT FURTHER RESOLVED**, that this resolution shall be effective immediately.

**BE IT FURTHER RESOLVED**, that an executed copy of this Resolution shall be filed with the minutes of the meeting at which this Resolution was approved and a separate copy shall be placed on file by the Secretary as evidence of the Agency's action in this regard.

  
\_\_\_\_\_  
KEVIN MESZAROS, Chairman

Attested to:

Madeline Bulman

MADELINE BULMAN, Secretary

Meeting Date: 07/24/12

ROLL CALL:

B. Block

S. Dato

K. Meszaros

M. Rosado

W. Schwarick

C. Tooker

✓  
ABSENT  
✓  
ABSENT  
✓  
✓  
✓  
✓

RESOLUTION NO. M:07-24-12:05

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**APPROVING QUALIFIED RESPONDANTS TO PERFORM PROFESSIONAL  
SERVICES- SPECIAL SERVICES ENGINEERING PURSUANT TO A FAIR AND  
OPEN PROCESS**

**WHEREAS, N.J.S.A. 19-44a-20.4 et seq.,** The "New Jersey Local Pay-to Play" Law (the "Statute") establishes certain requirements for retaining professional services; and

**WHEREAS,** the South Amboy Redevelopment Agency (the "Agency") is in need of special services engineering services from time to time to assist the Agency in connection with various redevelopment and other projects; and

**WHEREAS,** the Agency has undertaken a fair and open process as defined in the Statute to obtain candidates to provide said services; and

**WHEREAS,** the Agency has reviewed the submission of the candidates, and determined in accordance with established criteria that the firms of CME Associates, Parlin, New Jersey; Najarian Associates, Eatontown, New Jersey; and AJV Associates, Woodbridge, New Jersey are qualified candidate for the position, together (the "Qualified Firms"); and

**WHEREAS,** the Qualified Firms have each proposed to provide the services, described in the attached proposals, at the rates set forth therein; and

**WHEREAS,** in accordance with the Local Public Contracts Law and the Regulations promulgated thereunder, N.J.A.C. 5:34-1 et seq., the Agency desires to appoint CME Associates, Najarian Associates and AJV Associates as engineer to provide special services engineering

services set forth in the proposal annexed hereto and incorporated herein; and

**WHEREAS**, as required by N.J.A.C. 5:34-5.5 et seq., prior to the undertaking of any services specified herein, a letter of engagement specifying the exact services and the not to exceed amount shall be authorized by the Agency, and the Agency Treasurer shall certify in writing the availability of the funds.

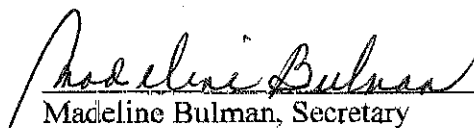
**NOW, THEREFORE, BE IT RESOLVED** by the SOUTH AMBOY REDEVELOPMENT AGENCY that CME Associates, Najarian Associates and AJV Associates shall be and is/are hereby retained to represent the Agency in the capacity of Special Services Engineer for the period July 1, 2012 through June 30, 2013, and to perform the duties as determined by the Agency in separately determined amounts.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**BE IT FURTHER RESOLVED** that the Agency Secretary is hereby authorized and directed to cause notice of this resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

  
\_\_\_\_\_  
KEVIN MEGZARDS, Chairman

Attested to:

  
\_\_\_\_\_  
Madeline Bulman, Secretary

Meeting Date: 07/24/12

## ROLL CALL:

B. Block

✓

S. Dato

ABSENT

K. Meszaros

✓

M. Rosado

ABSENT

W. Schwarick

✓

C. Tooker

✓



RESOLUTION NO. M:07-24-12:06

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**APPROVING QUALIFIED RESPONDANTS TO PERFORM PROFESSIONAL SERVICES-ENGINEERING PURSUANT TO A FAIR AND OPEN PROCESS**

**WHEREAS, N.J.S.A. 19-44a-20.4 et seq.,** The "New Jersey Local Pay-to Play" Law (the "Statute") establishes certain requirements for retaining professional services; and

**WHEREAS,** the South Amboy Redevelopment Agency (the "Agency") is in need of environmental engineering services from time to time to assist the Agency in connection with various redevelopment and other projects; and

**WHEREAS,** the Agency has undertaken a fair and open process as defined in the Statute to obtain candidates to provide said services; and

**WHEREAS,** the Agency has reviewed the submission of the candidates, and determined in accordance with established criteria that the firms of CME Associates, Parlin New Jersey; Potomac Hudson, South Amboy, New Jersey; and Najarian Associates, Eatontown, New Jersey are qualified candidate for the position of environmental engineer, (the "Qualified Firms"); and

**WHEREAS,** the Qualified Firms have each proposed to provide the services, described in the attached proposals, at the rates set forth therein; and

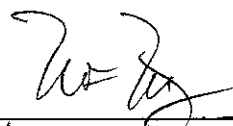
**WHEREAS,** in accordance with the Local Public Contracts Law and the Regulations promulgated thereunder, N.J.A.C. 5:34-1 et seq., the Agency desires to approve the Qualified Firms as environmental engineers to provide the services set forth in their respective proposals annexed hereto and incorporated herein; and

WHEREAS, as required by N.J.A.C. 5:34-5.5 et seq., prior to the undertaking of any services specified herein, a letter of engagement specifying the exact services and the not to exceed amount shall be authorized by the Agency, and the Agency Treasurer shall certify in writing the availability of the funds.

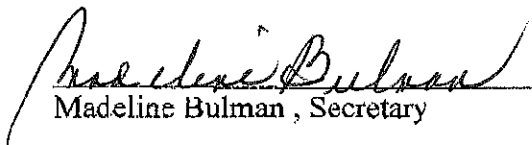
NOW, THEREFORE, BE IT RESOLVED by the SOUTH AMBOY REDEVELOPMENT AGENCY that CME Associates, Potomac Hudson, and Najarian Associates shall be and are hereby approved to represent the Agency in the capacity of Environmental Engineer for the period July 1, 2012 through June 30, 2013, and to perform the duties as determined by the Agency in separately determined amounts.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

BE IT FURTHER RESOLVED that the Agency Secretary is hereby authorized and directed to cause notice of this resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

  
\_\_\_\_\_  
KEVIN MESZAROS, Chairman

Attested to:

  
\_\_\_\_\_  
Madeline Bulman, Secretary

Meeting Date: 07/24/12

ROLL CALL:

B. Block  
S. Dato  
K. Meszaros  
M. Rosado  
W. Schwarick

✓  
ABSENT  
✓  
ABSENT  
✓

C. Tooker



RESOLUTION NO. M:07-24-12:07

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**AWARDING OF A PROFESSIONAL SERVICES  
CONTRACT PURSUANT TO A FAIR AND OPEN PROCESS**

**WHEREAS, N.J.S.A. 19-44a-20.4 et seq.,** The "New Jersey Local Pay-to Play" Law (the "Statute") establishes certain requirements for retaining professional services; and

**WHEREAS,** the South Amboy Redevelopment Agency (the "Agency") is in need of certain legal services to assist the Agency in connection with various legal matters; and

**WHEREAS,** the Agency has undertaken a fair and open process as defined in the Statute to obtain candidates to provide said services; and

**WHEREAS,** the Agency has reviewed the submission of the candidate(s), and determined in accordance with established criteria that Craig J. Coughlin, Attorney-at-Law ("Coughlin") is the best qualified candidate for the position; and

**WHEREAS,** Coughlin has proposed to provide the services, described in the attached agreement for a sum not to exceed \$30,600.00 (exclusive of separate specific engagements for special matters as determined by the Agency from time to time); and

**WHEREAS,** in accordance with the Local Public Contracts Law and the Regulations promulgated thereunder, N.J.A.C. 5:34-1 et seq., the Agency desires to retain Coughlin to provide the services set forth in the proposal annexed hereto and incorporated herein; and

**WHEREAS,** as required by N.J.A.C. 5:34-5.5 et seq., prior to the undertaking of any services specified herein, the Agency Treasurer shall certify in writing the availability of the sum

of \$ 30,600.00 therefore and a copy of said certification shall be attached to this resolution.


**NOW, THEREFORE, BE IT RESOLVED** by the SOUTH AMBOY REDEVELOPMENT AGENCY that Craig J. Coughlin shall be and is hereby retained to represent the Agency in the capacity of General Counsel for the period July 1, 2012 through June 30, 2013, and to perform the duties set forth in the attached proposal and limited in aggregate to an amount not to exceed \$ 30,600.00, (exclusive of separate specific engagements for special matters as determined by the Agency from time to time); **SUBJECT TO** the attachment to this Resolution of the certification of the Agency Treasurer as to the availability and source of the funds as required by N.J.A.C. 5:34-5.5 et seq.

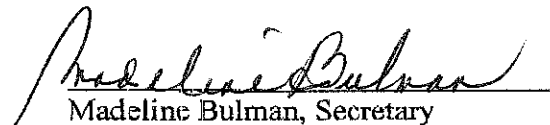
**BE IT FURTHER RESOLVED**, that, subject to the attachment of the certifications referred to above, the Chairwoman and the Agency Secretary are hereby authorized to execute the attached Agreement.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**BE IT FURTHER RESOLVED** that the Agency Secretary is hereby authorized and directed to cause notice of this resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

Attested to:

  
\_\_\_\_\_  
KEVIN MESZAROS, Chairman

  
\_\_\_\_\_  
Madeline Bulman, Secretary

Meeting Date: 07/24/12

## ROLL CALL:

B. Block  
S. Dato  
K. Meszaros  
M. Rosado  
W. Schwarick  
C. Tooker

✓  
ABSENT  
✓  
ABSENT  
✓  
✓

RESOLUTION NO. M:07-24-12:08

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**APPROVING QUALIFIED RESPONDANTS TO PERFORM PROFESSIONAL  
SERVICES-SPECIAL LEGAL COUNSEL PURSUANT TO A FAIR AND OPEN  
PROCESS**

**WHEREAS, N.J.S.A.** 19-44a-20.4 et seq., The "New Jersey Local Pay-to Play" Law (the "Statute") establishes certain requirements for retaining professional services; and

**WHEREAS,** the South Amboy Redevelopment Agency (the "Agency") is in need of certain Special Legal Counsel services to assist the Agency in connection with specialized areas of the law including but not limited to financing in connection with redevelopment projects, litigation, and bonding; and

**WHEREAS,** the Agency has undertaken a fair and open process as defined in the Statute to obtain candidates to provide said services; and

**WHEREAS,** the Agency has reviewed the submission of the candidates, and determined in accordance with established criteria that the firm of McManimon, Scotland, and Baumann Roseland, New Jersey is a qualified candidate for the position, (the "Qualified Firm"); and

**WHEREAS,** the Qualified Firm has proposed to provide the services, described in the attached proposals, at the rates set forth therein; and


WHEREAS, in accordance with the Local Public Contracts Law and the Regulations promulgated thereunder, N.J.A.C. 5:34-1 et seq., the Agency desires to approve McManimon, Scotland, and Baumann as special counsel to provide the services set forth in the proposal annexed hereto and incorporated herein; and

WHEREAS, as required by N.J.A.C. 5:34-5.5 et seq., prior to the undertaking of any services specified herein, a letter of engagement specifying the exact services and the not to exceed amount shall be authorized by the Agency, and the Agency Treasurer shall certify in writing the availability of the funds.

NOW, THEREFORE, BE IT RESOLVED by the SOUTH AMBOY REDEVELOPMENT AGENCY that the firm of McManimon, Scotland; and Baumann is hereby retained to represent the Agency in the capacity of Special Counsel for the period July 1, 2012 through June 30, 2013, and to perform the duties as determined by the Agency in separately determined amounts.

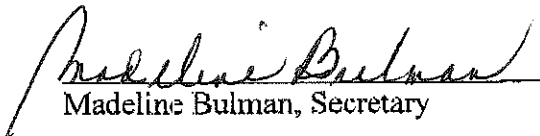
BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

BE IT FURTHER RESOLVED that the Agency Secretary is hereby authorized and directed to cause notice of this resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

  
\_\_\_\_\_  
KEVIN MESZAROS, Chairman



Attested to:

  
Madeline Bulman, Secretary

Meeting Date: 07/24/12

ROLL CALL:

B. Block

✓

S. Dato

ABSENT

K. Meszaros

✓

M. Rosado

ABSENT

W. Schwarick

✓

C. Tooker

✓

RESOLUTION NO. M:07-24-12:09

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**APPROVING QUALIFIED RESPONDANT TO PERFORM ASSESSOR, VALUATION  
& CONSULTING SERVICES-PURSUANT TO A FAIR AND OPEN PROCESS**

WHEREAS, N.J.S.A. 19-44a-20.4 et seq., The "New Jersey Local Pay-to Play" Law (the "Statute") establishes certain requirements for retaining professional services; and

WHEREAS, the South Amboy Redevelopment Agency (the "Agency") is in need of valuation and assessing services from time to time to assist the Agency in connection with various redevelopment and other projects; and

WHEREAS, the Agency has undertaken a fair and open process as defined in the Statute to obtain candidates to provide said services; and

WHEREAS, the Agency has reviewed the submission of the candidates, and determined in accordance with established criteria that the firm of Stanly Jay Associates, Colonia, New Jersey is qualified for the position, (the "Qualified Firm"); and

WHEREAS, the Qualified Firm has proposed to provide the services, described in the attached proposals, at the rate set forth therein; and

WHEREAS, in accordance with the Local Public Contracts Law and the Regulations promulgated thereunder, N.J.A.C. 5:34-1 et seq., the Agency desires to designate Stanley Jay Appraisal Associates, to provide the services set forth in the proposal annexed hereto and incorporated herein from time to time, as required; and

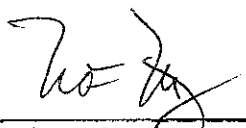
WHEREAS, as required by N.J.A.C. 5:34-5.5 et seq., prior to the undertaking of any

services specified herein, a letter of engagement specifying the exact services and the not to exceed amount shall be authorized by the Agency, and the Agency Treasurer shall certify in writing the availability of the funds.

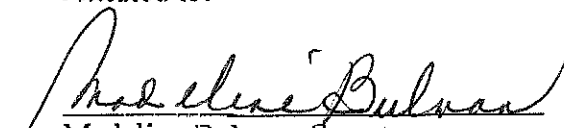
**NOW, THEREFORE, BE IT RESOLVED** by the SOUTH AMBOY REDEVELOPMENT AGENCY that Stanley Jay Appraisal Associates shall be and is hereby approved to represent the Agency in the capacity of assessor and valuation consultants for the period July 1, 2012 through June 30, 2013, and to perform the duties as determined by the Agency in separately determined amounts.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**BE IT FURTHER RESOLVED** that the Agency Secretary is hereby authorized and directed to cause notice of this resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

  
\_\_\_\_\_  
KEVIN MESZAROS, Chairman

Attested to:

  
\_\_\_\_\_  
Madeline Bulman, Secretary

Meeting Date: 07/24/12

ROLL CALL:

B. Block

S. Dato

K. Meszaros

M. Rosado

W. Schwarick

C. Tooker

✓  
\_\_\_\_\_  
ABSENT  
✓  
\_\_\_\_\_  
ABSENT  
✓  
\_\_\_\_\_  
✓  
\_\_\_\_\_

RESOLUTION NO. M107-24-12110

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**APPROVING QUALIFIED RESPONDANTS TO PERFORM PLANNING  
SERVICES-PURSUANT TO A FAIR AND OPEN PROCESS**

**WHEREAS**, N.J.S.A. 19-44a-20.4 et seq., The "New Jersey Local Pay-to Play" Law (the "Statute") establishes certain requirements for retaining professional services; and

**WHEREAS**, the South Amboy Redevelopment Agency (the "Agency") is in need of planning services from time to time to assist the Agency in connection with various redevelopment and other projects; and

**WHEREAS**, the Agency has undertaken a fair and open process as defined in the Statute to obtain candidates to provide said services; and

**WHEREAS**, the Agency has reviewed the submission of the candidates, and determined in accordance with established criteria that the firms of AJV Engineering, Inc., Woodbridge, New Jersey, and CME Associates, Parlin, New Jersey are qualified for the position, (the "Qualified Firms"); and

**WHEREAS**, the Qualified Firms have proposed to provide the services, described in the attached proposals, Schedule 1, at the rates set forth therein; and


**WHEREAS**, in accordance with the Local Public Contracts Law and the Regulations promulgated thereunder, N.J.A.C. 5:34-1 et seq., the Agency desires to designate AJV Engineering, Inc. and CME Associates as planners to provide the services set forth in the proposal annexed hereto and incorporated herein from time to time, as required; and

**WHEREAS**, as required by N.J.A.C. 5:34-5.5 et seq., prior to the undertaking of any services specified herein, a letter of engagement specifying the exact services and the not to exceed amount shall be authorized by the Agency, and the Agency Treasurer shall certify in writing the availability of the funds.

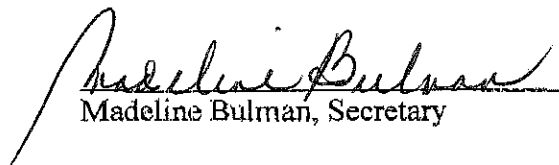
**NOW, THEREFORE, BE IT RESOLVED** by the SOUTH AMBOY REDEVELOPMENT AGENCY that AJV Engineering, Inc. and CME Associates shall be and are hereby approved to represent the Agency in the capacity of Planner for the period July 1, 2012 through June 30, 2013, and to perform the duties as determined by the Agency in separately determined amounts.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**BE IT FURTHER RESOLVED** that the Agency Secretary is hereby authorized and directed to cause notice of this resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

  
\_\_\_\_\_, Chairman

Attested to:

  
Madeline Bulman, Secretary

Meeting Date: 07/24/12

ROLL CALL:

B. Block  
S. Dato  
K. Meszaros

✓  
ABSENT  
✓

M. Rosado  
W. Schwarick  
C. Tooker


ABSENT  
✓

No. M:07-24-12:11**SOUTH AMBOY REDEVELOPMENT AGENCY****RESOLUTION****AUTHORIZING EXECUTION OF INTERIM COST  
AGREEMENT**

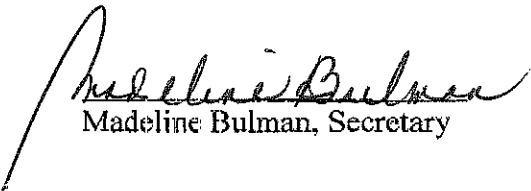
WHEREAS, Liberty Harbor is interested in developing in the City of South Amboy; and

WHEREAS, prior to entering into negotiations the South Amboy Redevelopment Agency (the "Agency") requires that an interim cost agreement be in place to cover the Agency's costs.

**NOW THEREFORE BE, IT RESOLVED** that the Agency Chairman is authorized to execute an interim cost agreement substantially in the form of Schedule 1.

  
\_\_\_\_\_, Chairman

Attested to:

  
Madeline Bulman, Secretary

Meeting Date: 07/24/12

**ROLL CALL:**

B. Block

S. Dato

K. Meszaros

M. Rosado

W. Schwarick

C. Tooker

✓  
ABSENT  
✓  
ABSENT  
✓  
✓

## INTERIM COSTS AGREEMENT

**INTERIM COSTS AGREEMENT** (the "Interim Costs Agreement"), dated as of July \_\_\_\_\_, 2012, by and between:

**THE SOUTH AMBOY REDEVELOPMENT AGENCY** a redevelopment agency of the City of South Amboy located at 140 North Broadway, South Amboy, New Jersey, acting in the capacity of a redevelopment entity pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A.40A:12A-1 *et seq.* (the "Act") and its respective successors and assigns (the "Agency"),

and

**LIBERTY HARBOR** its successors and assigns, with offices located at 333 Grand Street, Jersey City, New Jersey 07302 ( the "Redeveloper"), collectively (the "Parties").

### 1. Definitions.

A. Interim Costs. Interim Costs shall include the Agency's and City of South Amboy's (the "City") reasonably incurred out-of-pocket fees, costs and expenses related to the negotiation of the terms and conditions of a redevelopment agreement and other documents related to the redevelopment Lots 159, 154, and 118 at Main Street and Broadway (the "Property") by the Redeveloper, including, but not limited to fees for legal, accounting, engineering, planning and financial advisory services

B. Administrative Costs. Administrative Costs shall mean costs incurred by the Agency in connection with the day-to-day operations of the Agency, not directly related to the Redeveloper's project; included but not limited to consulting, legal, secretarial, administrative, accounting, utility and banking costs and fees.

### 2. Escrow Account.

Immediately upon the execution of this Costs Agreement, the Redeveloper shall pay \$10,000.00 to the Agency which the Agency shall deposit into an interest bearing escrow account established by it for the payment of its Administrative and Interim Costs. Said funds shall be dispersed as follows; prior to the Agency's withdrawal of funds from the escrow for the payment of its Interim Costs, the Agency shall provide the Redeveloper with a copy of each invoice reflecting Interim Costs to be paid. Unless the Redeveloper within 15 days of sending of any such copy, provides a written objection that any invoiced item is not an Interim Cost, the Agency shall be free to withdraw funds from the escrow for the payment of such invoiced services.



If, when and as often as may occur the escrow account is drawn down to or below \$2,500.00, the Redeveloper upon the Agency's request shall immediately replenish the account with an amount equal to the difference between the initial escrow amount and the balance at the time of the notice for use in accordance with these terms. In the event that this Interim Costs Agreement either expires or is cancelled by the Agency, then all escrow monies shall be returned to the Redeveloper following the payment from the fund of the Agency's Interim Costs incurred up to the time of said expiration or cancellation.

3. Interest Distribution.

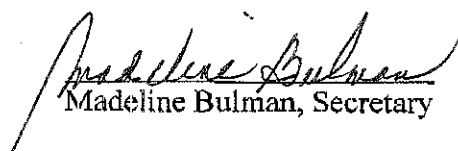
Interest earned on the escrowed funds shall be distributed as follows:

1. Any interest less than \$5,000.00 shall be paid to the Agency.
- Interest over \$5,000.00 shall be paid (i) one-third (1/3) to the Agency for administrative costs and (ii) the balance to the Redeveloper.

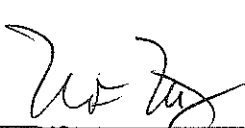
IN WITNESS WHEREOF, the Parties hereto have caused this Interim Costs Agreement to be executed, all as of the date first above written.

ATTEST:

SOUTH AMBOY REDEVELOPMENT AGENCY

  
Madeline Bulman, Secretary

BY:

  
Kevin F. Meszaros, Chairman

ATTEST:

LIBERTY HARBOR

\_\_\_\_\_  
Witness

BY:

\_\_\_\_\_  
Jeffrey Zak



## LIBERTY HARBOR

June 27, 2012

Eric F. M. Chubenko  
Executive Director  
South Amboy Redevelopment Agency  
140 North Broadway  
South Amboy, NJ 08879

RE: Main Street Townhomes  
Broadway-Main R.P.  
South Amboy

Dear Mr. Chubenko:

It was a pleasure to meet and talk on Tuesday and get an overview of South Amboy's overall upscale redevelopment efforts.

I attach a site plan for property we own in Blocks 159, 154, 118 at Main Street and Broadway. The townhouse plan is for transit village style, small bedroom, age oriented residential units in full conformance with the Broadway/Main Redevelopment Plan and in a traditional style.

I would like the opportunity to present our plan to your agency and take the necessary steps for redeveloper designation and satisfy all legal requirements. I will forward the full presentation recently made to the Planning Board.

I look forward to working with you and Sam

Very truly yours,

Jeffrey Zak

# 2012 ADOPTED BUDGET RESOLUTION

## South Amboy Redevelopment Agency

### AUTHORITY

FISCAL YEAR: FROM: July 1, 2012 TO: June 30, 2013

WHEREAS, the Annual Budget and Capital Budget/Program for the South Amboy Redevelopment Agency Authority for the fiscal year beginning July 1, 2012 and ending, June 30, 2013 has been presented for adoption before the governing body of the South Amboy Redevelopment Agency Authority at its open public meeting of July 5, 2012; and

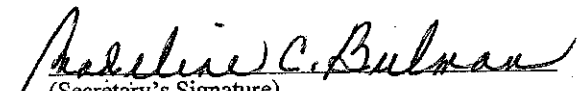
WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$350,792, Total Appropriations, including any Accumulated Deficit, if any, of \$ 405,853 and Total Unrestricted Net Assets utilized of \$ 55,061; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$-0- and Total Unrestricted Net Assets planned to be utilized of \$-0-; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of South Amboy Redevelopment Agency Authority, at an open public meeting held on July 5, 2012 that the Annual Budget and Capital Budget/Program of the South Amboy Redevelopment Agency Authority for the fiscal year beginning, July 1, 2012 and, ending, June 30, 2013 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

  
(Secretary's Signature)

07/24/12  
(Date)

Governing Body

Recorded Vote

Member:	Aye	Nay	Abstain	Absent
Meszaros	✓			
Block	✓			
Dato				✓
Rosado				✓
Schwarik	✓			
Tooker	✓			

## **SOUTH AMBOY REDEVELOPMENT AGENCY**

### **MINUTES OF THE SEPTEMBER 12, 2012 MEETING**

#### **Public Session**

Chairman Kevin Meszaros called the meeting to order and led the Agency Commissioners, Professionals and attending public in the Salute to the Flag and a prayer. Chairperson Meszaros certified that this meeting had been advertised as prescribed by law.

ROLL CALL: Benjamin Block\*, Zusette Dato, Kevin Meszaros,  
Councilman William Schwarick

Also in attendance: Eric Chubenko, Executive Director  
Craig J. Coughlin, Esq., General Counsel  
Mayor Fred Henry

*\* Please note that Benjamin Block participated in this meeting via teleconference.*

Councilman Schwarick made a Motion to approve the Bill Lists for this meeting (*Items nos. 7.A. and B. contained in the Agenda annexed hereto.*)

Zusette Dato seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes

A Motion to adopt the Resolution authorizing execution of an Interim Cost Agreement with Ge/NRG (*Agenda Item no. 12.A.*).

The Motion was seconded by Zusette Dato.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes

A Motion to approve a Resolution authorizing appraisal services for a portion of the waterfront area (i.e., commonly known as the 'Restaurant Area') to be performed by Stanley J. Appraisals in an amount not-to-exceed \$2,500.00 was made by Kevin Meszaros. (*Please note that this action was presented at the meeting and, therefore, there was no Resolution provided.*)

The Motion was seconded by Zusette Dato.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes

Councilman Schwarick made a Motion to approve the July 24, 2012 Meeting Minutes (*Agenda Item no. 12.B.*)

Kevin Meszaros seconded the Motion.

ROLL CALL: Block – yes; Dato – abstain; Meszaros – yes; Schwarick – yes

Chairman Meszaros requested comments/questions from Commissioners and, hearing none, opened the meeting to the public. With no public in attendance at this meeting, Chairman Meszaros requested a Motion to adjourn the meeting.

Councilman Schwarick made a Motion to adjourn the meeting.  
Zusette Dato seconded the Motion.

Voice Vote taken: all in favor

Meeting adjourned

Submitted by:

---

MADLINE B. PIRRO

No. M:09-12-12:01

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**AUTHORIZING EXECUTION  
OF AN INTERIM COST AGREEMENT WITH Ge/NRG**

**WHEREAS**, the South Amboy Redevelopment Agency (the "Agency") has been contacted by Ge/NRG about its' plans for the site know as the "Power Plant" (the "Site"); and

**WHEREAS**, the Agency is eager to discuss plans for the Site; and

**WHEREAS**, Ge/NRG has agreed to enter into an interim cost agreement to cover the Agency's costs in connection with the negotiation.

**NOW, THEREFORE, BE AND IT HEREBY IS RESOLVED** by the South Amboy Redevelopment Agency, as follows:

1. The Agency hereby approves the Interim Cost Agreement attached hereto as Schedule 1.
2. The Chairman and the Agency secretary be and are hereby authorized to execute the Interim Cost Agreement, attached hereto as Schedule 1, on behalf of the Agency.

  
Kevin F. Meszaros, Chairman

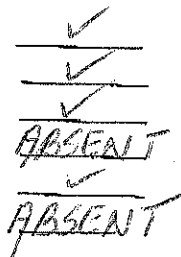
Attested to:

  
Madeline Bulman, Secretary

Meeting Date:

ROLL CALL:

B. Block  
S. Dato  
K. Meszaros  
M. Rosado  
W. Schwarick  
C. Tooker

  
ABSENT  
ABSENT

## INTERIM COSTS AGREEMENT

**INTERIM COSTS AGREEMENT** (the "Interim Costs Agreement"), dated as of September \_\_\_\_\_, 2012, by and between:

**THE SOUTH AMBOY REDEVELOPMENT AGENCY** a redevelopment agency of the City of South Amboy located at 140 North Broadway, South Amboy, New Jersey, acting in the capacity of a redevelopment entity pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A.40A:12A-1 *et seq.* (the "Act") and its respective successors and assigns (the "Agency"),

and

Ge/NRG ( the "Redeveloper"), collectively (the "Parties").

### 1. Definitions.

A. Interim Costs. Interim Costs shall include the Agency's and City of South Amboy's (the "City") reasonably incurred out-of-pocket fees, costs and expenses related to the negotiation of the terms and conditions of a redevelopment agreement and other related documents, in connection with the demolition, and other activities by the Redeveloper related to the Power Plant Site (the "Property") by the Redeveloper, including, but not limited to fees for legal, accounting, engineering, planning and financial advisory services, and Administrative Costs

B. Administrative Costs. Administrative Costs shall mean costs incurred by the Agency in connection with the day-to-day operations of the Agency, not directly related to the Redeveloper's project; included but not limited to consulting, legal, secretarial, administrative, accounting, utility and banking costs and fees.

### 2. Escrow Account.

Immediately upon the execution of this Costs Agreement, the Redeveloper shall pay \$5,000.00 to the Agency which the Agency shall deposit into an interest bearing escrow account established by it for the payment of its Administrative and Interim Costs. Said funds shall be dispersed as follows: prior to the Agency's withdrawal of funds from the escrow for the payment of its Interim Costs, the Agency shall provide the Redeveloper with a copy of each invoice reflecting Interim Costs to be paid. Unless the Redeveloper within 15 days of sending of any such copy, provides a written objection that any invoiced item is not an Interim Cost, the Agency shall be free to withdraw funds from the escrow for the payment of such invoiced services.

If, when and as often as may occur the escrow account is drawn down to or below \$1,000.00, the Redeveloper upon the Agency's request shall immediately replenish the account with an amount equal to the difference between the initial escrow amount and the balance at the time of the notice for use in accordance with these terms. In the event that this Interim Costs Agreement either expires or is cancelled by the Agency, then all escrow monies shall be returned to the Redeveloper following the payment from the fund of the Agency's Interim Costs incurred up to the time of said expiration or cancellation.

3. Interest Distribution.

Interest earned on the escrowed funds shall be distributed as follows:

1. Any interest less than \$5,000.00 shall be paid to the Agency.
- Interest over \$5,000.00 shall be paid (i) one-third (1/3) to the Agency for administrative costs and (ii) the balance to the Redeveloper.

IN WITNESS WHEREOF, the Parties hereto have caused this Interim Costs Agreement to be executed, all as of the date first above written.

ATTEST:

SOUTH AMBOY REDEVELOPMENT AGENCY

\_\_\_\_\_  
Madeline Bulman, Secretary

BY: \_\_\_\_\_  
Kevin F. Meszaros, Chairman

ATTEST:

Ge/NRG

\_\_\_\_\_  
Witness

BY: \_\_\_\_\_



## **SOUTH AMBOY REDEVELOPMENT AGENCY**

### **MINUTES OF THE OCTOBER 4, 2012 MEETING**

#### **Public Session**

Chairman Kevin Meszaros called the meeting to order and led the Agency Commissioners, Professionals and attending public in the Salute to the Flag and a prayer. Chairperson Meszaros certified that this meeting had been advertised as prescribed by law.

ROLL CALL: Benjamin Block, Zusette Dato, Kevin Meszaros,  
Councilman William Schwarick

Also in attendance: Eric Chubenko, Executive Director  
Craig J. Coughlin, Esq., General Counsel  
Mayor Fred Henry

A Motion to adopt the Consent Agenda for this meeting was made by Councilman Schwarick. *(Item Nos. 7.A. and B. contained in the Agenda annexed hereto.)*  
Zusette Dato seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes

Councilman Schwarick made a Motion to adopt the Resolution appointing Lerch, Vinci and Higgins to perform professional auditing services for the period of October 1, 2012 through June 30, 2013 in an amount not-to-exceed \$7,900.00 *(Agenda Item No. 12.B.)*.  
Kevin Meszaros seconded the Motion.

ROLL CALL: Block – yes; Dato – yes; Meszaros – yes; Schwarick – yes

Craig Coughlin, Esq., Agency General Counsel, requested that the Resolution authorizing execution of an Interim Cost Agreement with BNE Real Estate Group *(Agenda Item No. 12.C.)* be held at this time. Mr. Coughlin also advised the Agency Commissioners that the developer presentation *(Agenda Item No. 12.A.)* would not be conducted at this meeting.

Chairperson Meszaros read the Executive [closed] Session Resolution aloud and advised that the Agency would remain in Executive [closed] Session for approximately twenty (20) minutes for the purpose of discussing contract negotiation matters.

A Motion to enter into Executive [closed] Session was made by Benjamin Block.  
Councilman Schwarick seconded the Motion.

Voice Vote taken: all in favor

Executive [closed] Session

Return to Open [public] Session

SARA  
October 4, 2012 Meeting Minutes  
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Chairman Meszaros requested comments/questions from Commissioners and, hearing none, opened the meeting to the public. With no public in attendance at this meeting, Chairman Meszaros requested a Motion to adjourn the meeting.

Benjamin Block made a Motion to adjourn the meeting.  
Councilman Schwarick seconded the Motion.

Voice Vote taken: all in favor

Meeting adjourned

Submitted by:

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MADELINE B. PIRRO

RESOLUTION NO. M:10-04-12:01

**SOUTH AMBOY REDEVELOPMENT AGENCY**

**RESOLUTION**

**AWARDING OF A PROFESSIONAL SERVICES-AUDITING  
CONTRACT PURSUANT TO A FAIR AND OPEN PROCESS**

**WHEREAS**, N.J.S.A. 19-44a-20.4 et seq., The "New Jersey Local Pay-to Play" Law (the "Statute") establishes certain requirements for retaining professional services; and

**WHEREAS**, the South Amboy Redevelopment Agency (the "Agency") is in need of auditing services to the Agency in connection with the annual budget and various matters; and

**WHEREAS**, the Agency has undertaken a fair and open process as defined in the Statute to obtain candidates to provide said services; and

**WHEREAS**, the Agency has reviewed the submission of the candidate(s), and determined in accordance with established criteria that Lerch, Vinci and Higgins is the best qualified candidate for the position; and

**WHEREAS**, Lerch, Vinci and Higgins has proposed to provide the services, described in the attached agreement for a sum not to exceed \$ 7,900.00; and

**WHEREAS**, in accordance with the Local Public Contracts Law and the Regulations promulgated thereunder, N.J.A.C. 5:34-1 et seq., the Agency desires to retain Lerch, Vinci and Higgins to provide the services set forth in the proposal annexed hereto and incorporated herein; and

**WHEREAS**, as required by N.J.A.C. 5:34-5.5 et seq., prior to the undertaking of any services specified herein, the Agency Treasurer shall certify in writing the availability of the sum

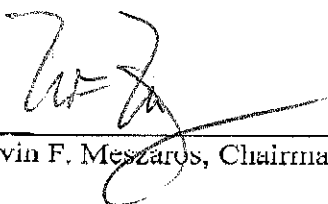
of \$ 7,900.00 therefore and a copy of said certification shall be attached to this resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the SOUTH AMBOY REDEVELOPMENT AGENCY that Lerch, Vinci and Higgins shall be and is hereby retained to perform auditing services for the Agency for the period October 1, 2012 through June 30, 2013, and to perform the duties set forth in the attached proposal and limited in aggregate to an amount not to exceed \$ 7,900.00, SUBJECT TO the attachment to this Resolution of the certification of the Agency Treasurer as to the availability and source of the funds as required by N.J.A.C. 5:34-5.5 et seq.

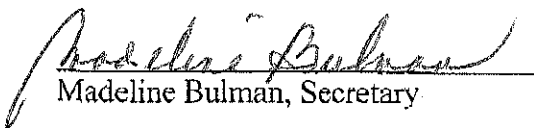
**BE IT FURTHER RESOLVED**, that, subject to the attachment of the certifications referred to above, the Chairman and the Agency Secretary are hereby authorized to execute the attached Agreement.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**BE IT FURTHER RESOLVED** that the Agency Secretary is hereby authorized and directed to cause notice of this resolution as required by N.J.S.A. 40A:11-5(1)(a) to be published in an appropriate newspaper.

  
\_\_\_\_\_  
Kevin F. Meszaros, Chairman

Attested to:

  
\_\_\_\_\_  
Madeline Bulman, Secretary

Meeting Date: 10/04/12

ROLL CALL:

B. Block

✓

S. Dato

✓

K. Meszaros

✓

M. Rosado

ABSENT

W. Schwarick

✓

C. Tooker

ABSENT